

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

JAMES FARRELL GAITANIS

PLAINTIFF

VS.

CIVIL ACTION NO. 2:19-cv-43-KS-MTP

FORREST COUNTY JAIL
MEDICAL DEPARTMENT, ET AL

DEFENDANT

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge entered herein on August 24, 2020, after referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation be, and the same hereby is, adopted as the finding of this Court, and the Complaint [1] is hereby dismissed with prejudice as a result of Plaintiff's failure to prosecute and participate in the Omnibus Hearing and further based on his request. The dismissal is with prejudice because the defendants have appeared and defended the claims and plaintiff has declined to proceed further. A separate judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 29th day of January, 2021.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE